



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

*Promoting the wise use of land*

*Helping build great communities*

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| <b>MEETING DATE</b><br>April 14, 2016  | <b>CONTACT/PHONE</b><br>Schani Siong<br>Planner 781-4374 | <b>APPLICANT</b><br>Hurley Ranch, LLC                           | <b>FILE NO.</b><br>TRACT 3053<br>SUB2013-0009 |
| <b>SUBJECT</b><br>A request by <b>HURLEY RANCH, LLC</b> for a Vesting Tentative Tract Map (Tract 3053) to subdivide three existing parcels (total 66.5 acres) into 13 residential lots ranging in size from 5.10 to 5.29 gross acres. Twelve of the 13 lots (proposed Lot 2 to 13) will be for sale and/or development; the existing residence on the site will remain on the proposed Lot 1. The project includes construction of a private access road with associated drainage and utility improvements and a creek crossing. Each parcel will be served by individual well and septic systems. The proposed project will result in site disturbance of approximately 3.6 acres due to road construction and future development, on an overall 66.5 acres site. The project is located on the west side of Old Oak Park Road, between Vetter Lane and Erhart Road in the Arroyo Grande fringe area, about 1.2 miles north of the City of Arroyo Grande. The project is within the Residential Rural land use category in the San Luis Bay (South County) planning area. |  |   |   |
| <b>RECOMMENDED ACTION</b><br>1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.<br>2. Approve Vesting Tentative Tract 3053 based on the findings listed in Exhibit A and the conditions listed in Exhibit B   |  |   |   |
| <b>ENVIRONMENTAL DETERMINATION</b><br>The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 25, 2016 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Wastewater, Water and Hydrology are included as conditions of approval.  |  |   |   |
| <b>LAND USE CATEGORY</b><br>Residential Rural  | <b>COMBINING DESIGNATION</b><br>None                     | <b>ASSESSOR PARCEL NUMBER</b><br>044-368-001, 044-561-006 & 007 | <b>SUPERVISOR DISTRICT(S)</b><br>4            |
| <b>PLANNING AREA STANDARDS:</b><br>22.98.054 – Arroyo Grande Fringe Area Standards   |  |   |   |
| <b>LAND USE ORDINANCE STANDARDS:</b><br>22.22.060 – Subdivision Design Standards – Residential Rural Land Use Category   |  |   |   |
| <b>EXISTING USES:</b><br>Undeveloped, Single family residence  |  |   |   |
| <b>SURROUNDING LAND USE CATEGORIES AND USES:</b><br><div style="display: flex; justify-content: space-between;"><div><i>North:</i> Residential Suburban/Residences<br/><i>South:</i> Residential Suburban/Residences</div><div><i>East:</i> Residential Suburban/Residences<br/><i>West:</i> Residential Suburban/Residences</div></div>   |  |   |   |
| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:<br/>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>   |  |   |   |

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| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:<br>The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, Road Naming, Assessors, Sherriff, Cal Trans, Regional Water Quality Control Board, CA Fish and Wildlife, US Fish and Wildlife, City of Arroyo Grande, City of Pismo Beach, South County Community Advisory, Heal SLO (Healthy Communities), Parks and Recreation, Air Pollution District California |  |
| TOPOGRAPHY:<br>Moderately to steeply sloping  | VEGETATION:<br>Grasses, forbs, oak woodland, eucalyptus grove, arroyo willow thicket, sagebrush scrub. |
| PROPOSED SERVICES:<br>Water supply: On-site well<br>Sewage Disposal: Individual septic system<br>Fire Protection: Cal Fire  | ACCEPTANCE DATE:<br>December 4, 2015   |

**PROJECT DESCRIPTION**

The project was submitted in August 2013 and proposes to subdivide 3 existing parcels (total 66.5 acres) into 13 residential lots ranging in size from 5.10 to 5.29 gross acres. There is an existing single family residence that will remain on the proposed Lot 1. Proposed Lot 2 to 13 will be for sale and/or development. All 13 lots will have individual wells and on-site septic systems. The project will include construction of a 50 foot wide right-of-way for a private road with associated drainage and utility improvements and a creek crossing at Erhart Road (Figure 1).



Figure 1. Proposed Vesting Tentative Map for 13 Lots by Hurley Ranch LLC.

Environmental Impacts

The proposed subdivision will result in several impacts to the existing biological habitats found on the parcels. In order to mitigate development impacts to less than significant levels, the applicant has agreed to include building envelopes, height restrictions, tree removal limitations, biological preconstruction surveys, and no-build easements. Construction of the private road, Hurley Ranch Road and associated tract improvements will impact up to 8 oak trees. The applicant will replant at 2:1 ratio, with 16 new oak trees replanted along the new road (Figure 2).



Figure 2. Proposed building envelopes and no-build easements to avoid impacts to the existing biological habitats on site.

## Water

As part of the subdivision review process, the applicant drilled four new test wells between May 2014 and September 2015 to provide adequate information to 1) assess the project water demand, 2) evaluate the reliability of water supply, 3) conduct an impact analysis of the interference drawdown from project wells on nearby private residential water wells, and 4) evaluate water quality of the target aquifer.

Several water reports were prepared by Cleath-Harris Geologist, Inc (CHG) and peer reviewed by Fugro Consultants. According to the Groundwater Assessment (CHG, 2012), the aquifer underlying the site is the Pismo Formation, consisting of sedimentary water-bearing sand units that are host to numerous wells in the area. This Formation is made of 2 separate aquifers; shallow upper aquifer zone (200 to 300 feet) and lower aquifer zone (300 feet below ground). Most of the existing wells in the vicinity are drawing from the upper aquifer zone.

### 1) Project Water Demand

Based on collected water data from the City of Arroyo Grande, CHG estimated the combined outdoor and indoor water demand for each of the 12 new lots to be 1.8 acre-feet per year (AFY), resulting in an annual net groundwater demand of 21.6 AFY for the new subdivision.

### 2) Reliability of Water Supply

The upper and lower aquifer zones have an estimated combined an estimated yield of 540 AFY, with approximately one-half of the yield (270 AFY) available from each aquifer

(CHG 2015a, Fugro 2007). The existing production from the combined aquifer zones is approximately 248 AFY, which includes: private well pumping, City of Arroyo Grande municipal production, the Coastal Christian School and small agricultural irrigation on several of the rural residential lots. CHG concludes that the existing pumping (248 AFY) with the proposed project pumpage (21.6 AFY) would be 269.6 AFY, which is one-half of the estimated yield of the aquifer.

### 3) *Well Interference Analysis*

A well interference analysis was conducted to estimate the anticipated water level drawdown in nearby private domestic wells caused by the new or additional pumping of the project wells. For the proposed lots drawing from the lower aquifer (Lot 2 to 10), the total well interference (drawdown) at the nearest off-site private well due to the subdivision water use is less than 3.5 feet over a year, assuming no recharge. For proposed lots drawing from the upper aquifer (Lot 11 to 13), the drawdown on the nearest private well is expected to be less than one inch.

### 4) *Water Quality*

Water quality of the groundwater from the lower aquifer is generally good, with typical treatment required to reduce iron, manganese, and (possibly) arsenic for domestic use. The water quality from the upper aquifer is poorer due to a higher mineral content than the lower aquifer groundwater. Some of the minerals exceed maximum contaminant level standards and will require a well head treatment (turbidity filter, manganese filter, softener for arsenic, pH filters or similar) before it is acceptable for domestic use. A water treatment plan to reduce the unacceptable concentration limits to suitable levels was submitted to the County.

### *Conclusion*

These water analyses presented evidence of; 1) adequate and reliable water supply for the proposed 13 lot subdivision, 2) minimal drawdown impact on nearby private water wells and 3) the targeted water quality are acceptable to drinking standards subject to proper treatment (Peer Review of Cleath-Harris Geologists report for SUB2013-00009 Hurley Ranch Tract, Fugro Consultants, Dec 4, 2015). For a detailed water discussion, refer to the Water Section in the Mitigated Negative Declaration environmental document (County of San Luis Obispo, 2016)

## **ORDINANCE COMPLIANCE:**

### *Minimum Parcel Size*

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based upon site features including: remoteness, fire hazard and response time, access and slope. Minimum parcel size is based on the largest parcel size as calculated by these tests.

| TEST                          | STANDARD  | MINIMUM PARCEL SIZE |
|-------------------------------|---|---------------------|
| Remoteness                    | Distance from Urban Reserve Line is 0 -5 miles  | 5 acres             |
| Fire Hazard/<br>Response Time | 15 minutes or Less  | 5 acres             |
| Access                        | Minimum 40 foot ROW to county road,<br>County standard gravel road<br>Organized or public maintenance | 5 acres             |
| Slope                         | Average slope is between 9-15%  | 5 acres             |

*Staff Comment: The proposed parcels meet all requirements for a 5.0 acre parcels.*

### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

### *Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

## **PLANNING AREA STANDARDS**

### Section 22.98.054 – Arroyo Grande Fringe Area Standards

A.2. Residential Rural (RR) New Land Division. The applicant must provide the Division of Environmental Health with information to show that there are adequate ground water resources to serve the proposed land division and each proposed parcel can accommodate an individual sewage disposal system.

*Staff comments: The Environmental Health Division has reviewed the proposal and stated that there appears to be preliminary evidence of adequate water and space for individual wastewater*

*systems based on the applicant providing deep soil borings and percolation tests for each parcel prior to recordation of the final map (Environmental Health, Aug 5, 2013).*

#### **AGENCY REVIEW**

|                       |   |
|-----------------------|---|
| Public Works:         | <i>Referral responses dated September 16, 2013 and October 2, 2013. Concerns over additional drainage into existing facilities downstream, erosion and sedimentation in the Meadow Creek watershed and additional traffic on Old Oak Park road.</i> |
| Environmental Health: | <i>Referral response dated August 5, 2013. Require complete chemical analysis, pump test and well drillers report, a deep soil boring, percolation tests for parcels including existing septic system on site.</i>                                  |
| Parks & Recreation:   | <i>Referral response dated September 26, 2013<br/>Require Quimby fees</i>   |
| Cal Fire:             | <i>See Fire Safety Plan dated September 25, 2013</i>  |
| APCD:                 | <i>Referral responses dated September 3, 2013<br/>Concerns with rural subdivision, which is inconsistent with the Clean Air Plan</i>  |
| Heal SLO:             | <i>Referral responses dated August 27, 2013<br/>Concerns with rural subdivision exacerbating reliance on automobiles and discourages physical activity.</i>   |

#### **LEGAL LOT STATUS**

Lot 9 and Lot 8 are together one legal parcel per deed history. Lot 7 is a legal parcel per building permit # 20134.

Staff report prepared by Schani Siong and reviewed by James Caruso and Steve McMasters, Supervising Planner.